

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 69 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO
1 to 5 No

NAYANABEN MAHENDRAKUMAR PATEL

Versus

REGIONAL PASSPORT OFFICER OR SUCCESSOR

Appearance:

MR CHETAN K PANDYA for Petitioner
MS PJ DAWAVALA ACGSC for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 08/01/2001

ORAL JUDGEMENT

1. Heard Mr.Chetan K. Pandya, learned counsel appearing on behalf of the petitioner and Ms. P.J.Dawavala, learned Additional Central Government Standing Counsel for the respondent. RULE. Learned

counsel Ms. P.J.Dawavala for the respondent waives service of Rule.

2. The petitioner Nayanaben Mahendrakumar Patel has filed the present petition under Article 226 of the Constitution of India for correction of date of birth in the passport. It is submitted that while filing the application for Passport, the petitioner indicated her date of birth as 1.10.1963 but the respondent has recorded the date of birth of the petitioner as 1.6.1963. The learned counsel for the petitioner submitted that according to the certificate issued by the Registrar of Birth and Death, Runddhwada, Taluka Kamrej, the date of birth of the petitioner is 1.10.1963. I have gone through the certificate at Annexure-C and it appears that the date of birth of the petitioner is 1.10.1963 and in Annexure-A, which is a copy of the passport issued by the respondent, the date of birth of the petitioner is shown as 1.6.1963. The learned counsel for the petitioner submits that since erroneous information was given in the application form, it is necessary to correct the date of birth in the passport.

3. Having regard to the certificate at Annexure-C, I am of the view that the date of birth of the petitioner is required to be corrected in the passport by the Regional Passport Officer. Accordingly, the petition is allowed. The respondent Regional Passport Officer, Ahmedabad is directed to consider the case of the petitioner for change of the petitioner's date of birth in accordance with the Birth Certificate issued by the Registrar of Birth and Death, Runddhswada, Taluka Kamrej. The petitioner is directed to submit an application afresh to the Regional Passport Officer, Ahmedabad alongwith a copy of the Birth Certificate and other documents as may be necessary by the Passport Officer, and on such application being filed, the respondent shall consider the same and make necessary corrections in the passport issued to the petitioner within a period of one month from the date of receipt of this order.

4. Since the mistake is not attributable to the respondent, the petitioner shall pay cost of this petition, which is quantified at Rs.1500/-, to the respondent. Rule is made absolute to the aforesaid. Direct Service is permitted.

Sd/-

08.01.2001 (D.H.Waghela, J.)
(KMG Thilake)